

TWENTIETH DAY.

Senate Chamber. }
Austin, May 10, 1888. }

The Senate met pursuant to adjournment.

Senator Woods, president pro tem, in the chair.

Roll called.

Quorum present.

Prayer by the chaplain. Dr. R. K. Smoot.

Pending the reading of the Journal of yesterday, on motion of Senator Woodward, the further reading of the same was dispensed with.

REPORTS OF STANDING COMMITTEES.

BY SENATOR FRANK:

Committee Room, }
Austin, May 9, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared Senate concurrent resolution No. 5.

Requesting our Senators and Representatives in Congress to use their utmost efforts with the administration to secure the retention of the present number of regiments, and especially the present cavalry force, now on duty in the department of Texas, and find the same correctly engrossed.

FRANK, chairman.

SENATOR GLASSCOCK

Offered the following resolution:

Resolved, That the superintendent of public grounds and buildings be authorized to allow the citizens of Austin the use of the Representative hall, Senate chamber and library room for the purpose of holding what is known as the dedication ball, which is to occur on the night of May 18, 1888.

On motion of Senator Woodward,

The resolution was laid on the table subject to call.

The following communication to the governor was read to the Senate by the secretary.

AUSTIN, May 10, 1888.

To Governor L. S. Ross:

Dear Sir—If the Senate and House wish to take possession of their chambers in the new capitol we will move

their furniture, in accordance with Mr. Wilke's promise, upon their giving us reasonable notice.

Very respectfully yours,

ABNER TAYLOR.

SPECIAL ORDER.

Substitute House bills Nos. 5, 6 and 11, entitled,

An act to authorize the commissioner of agriculture, insurance, statistics and history to have a geological and mineralogical survey made of the State of Texas, and to make an appropriation therefor,

Was taken up as the special order and read the second time.

SENATOR STINSON

Moved to postpone the farther consideration of the bill till to-morrow in order to have the bill printed.

Lost.

On motion of Senator Pope the Senate proceeded to consider the bill by sections.

On motion of Senator Simkins, section 1 was adopted.

On motion of Senator Field, section 2 was adopted.

On motion of Senator Garrison, section 3 was adopted.

On motion of Senator Frank, section 4 was adopted.

On motion of Senator Knittel, section 5 was adopted.

SENATOR STINSON

Moved to

Amend by adding another section, as follows:

That all school lands in the State of Texas and all other public lands shall be, and they are hereby, reserved from sale until the survey above provided for shall have been made and a report of the same made to the commissioner of insurance, statistics and history, and the same report shall have been reported to the commissioner of the general land office.

SENATOR HOUSTON

Made the point of order that the amendment was not germane to the caption of the bill nor amendatory to the section under consideration.

SENATOR STINSON

Opposed the point of order.

The chair sustained the point of order, and declared the amendment out of order.

On motion of Senator Gregg, section 6 was adopted.

On motion of Senator Houston, section 7 was adopted.

The bill passed to its third reading.

On motion of Senator Armistead,

The constitutional rule was suspended and the bill placed on its third reading and final passage by the following vote:

Yeas—26.

Allen	Gregg
Armistead	Houston
Baker	Jarvis
Bell	Knittle
Burges	Lane
Camp	McDonald
Claiborne	Macmanus
Douglass of J	Pope
Douglass of G	Simkins
Field	Terrell
Frank	Upshaw
Garrison	Woods
Glasscock	Woodward

Nays—2.

Davis Stinson

Absent—1.

Calhoun

The bill was read third time and passed by the following vote:

Yeas—24.

Allen	Gregg
Armistead	Houston
Baker	Jarvis
Bell	Knittle
Burges	Lane
Camp	McDonald
Claiborne	Macmanus
Douglass of G	Pope
Field	Simkins
Frank	Upshaw
Garrison	Woods
Glasscock	Woodward

Nays—4.

Davis Stinson
Douglass of J Terrell

Absent—1

Calhoun

MESSAGE FROM THE HOUSE.

The following message was received from the House of Representatives:

House of Representatives, }
Austin, May 10, 1888. }

Hon. John Woods, President pro tem. of the Senate:

Sir—I am directed by the House to inform the Senate that the House has adopted the following concurrent resolution:

Concurrent resolution providing for the Senate and House of Representatives of the Twentieth Legislature to move into the new capitol.

Section 1. Be it resolved by the Legislature of the State of Texas, that the Senate and House of Representatives of the Twentieth Legislature move into their respective halls in the new capitol. Said halls having been received by the State through its duly authorized agents, and being now subject to use by the State.

Section 2. And it is further resolved that it is hereby made the duty of the sergeant-at-arms of the respective houses to have moved to the new capitol the seats, desks and such other furniture as is necessary to its occupancy, and that the expenses incident to said moving be paid out of the contingent fund of the Legislature.

WILL LAMBERT,

Chief Clerk House of Representatives.

On motion of Senator McDonald,

The concurrent resolution just reported from the House, was laid before the Senate and adopted.

SENATOR WOODWARD

Called up the resolution offered by Senator Glasscock, proposing to allow the citizens of Austin the use of the Representative hall, Senate chamber and State library for the dedication ball.

The resolution was adopted.

On motion of Senator Frank,

The regular order of business was suspended and

Senate bill No. 46, a bill to be entitled,

An act to require the Comptroller of public accounts to report to the county clerk of each county the amount of county taxes collected by the collectors of said counties in redemption of lands sold to the State, and to require a proper charge of such reports to the

collectors, was taken up and read the second time with committee substitute.

On motion of Senator Frank, The substitute was adopted.

The bill, as substituted, was ordered engrossed.

On motion of Senator Frank,

The constitutional rule was suspended and the bill placed on its third reading and final passage by the following vote :

Yeas—27.

Allen	Gregg
Armistead	Houston
Baker	Jarvis
Bell	Knittle
Burges	Lane
Camp	McDonald
Claiborne	Macmanus
Davis	Pope
Douglass of J	Stinson
Douglass of G	Terrell
Field	Upshaw
Frank	Woods
Garrison	Woodward
Glasscock	

Nays—None.

Absent—2.

Calhoun Simkins

The bill was read third time and passed by the following vote:

Yeas—26.

Allen	Glasscock
Armistead	Gregg
Baker	Houston
Bell	Jarvis
Burges	Knittle
Camp	Lane
Claiborne	McDonald
Davis	Macmanus
Douglass of J	Pope
Douglass of G	Terrell
Field	Upshaw
Frank	Woods
Garrison	Woodward

Nays—None.

Absent—3.

Calhoun Stinson

SENATOR FRANK

Sent up the following privileged report:

Committee Room. }
Austin, May 10, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared Senate bill No. 42, being

An act to amend section 4, of an act entitled an act to authorize and require the county commissioners' courts of the several counties of the State to provide for the payment of all claims due teachers of public free schools, audited as valid claims under acts of the Legislature of Texas, approved August 7, 1876, or April 22, 1879, and to audit and pay such claims as should have been presented to, and audited by the auditorial board, provided by said act approved April 2, 1883, and find the same correctly engrossed.

FRANK, chairman.

SENATOR ALLEN

Moved to reconsider the vote adopting the resolution offered by Senator Glasscock, permitting the use of the Representative Hall, Senate Chamber and State Library for the dedication ball.

SENATOR ALLEN

Spoke in favor of the motion.

SENATOR POPE

Spoke in opposition to it.

The motion was lost.

SENATOR LANE

Called up his motion, entered yesterday, to reconsider the vote passing

Senate bill No. 24,

A bill to be entitled an act to amend title 95 of the Revised Civil Statutes by amending article 4748, as amended by the acts of the regular session of the Twentieth Legislature, 1887, on page 127, so as to provide for a more thorough and efficient means for the collection of taxes.

The motion was lost by the following vote:

Yeas—12.

Allen	Garrison
Baker	Glasscock
Claiborne	Gregg
Douglass of G	Houston
Field	Lane
Frank	Woodward

Nays—14.

Armistead	Knittle
Bell	McDonald
Burges	Macmanus
Camp	Pope
Davis	Terrell
Douglass of J	Upshaw
Jarvis	Woods

Absent—3.

Calhoun	Stinson
Simpkins	

SENATOR BELL

Offered the following resolution:

Resolved by the Senate that the offer of Mr. Abner Taylor and Gus Wilkie to remove the furniture in the Senate chamber to the new capitol be accepted and that the thanks of this body be tendered to him therefor.

Adopted.

Senator Frank sent up the following privileged report:

BY SENATOR FRANK:

Committee Room, }
Austin, May 10, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—Your committee on engrossed bills have carefully examined and compared substitute Senate bill No. 46, being

An act to require the comptroller of public accounts to report to the county clerk of each county the amount of county taxes collected by the collectors of said counties in redemption of lands sold to the State, and to require a proper charge of such reports to the collectors, and find the the same correctly engrossed.

FRANK, chairman.

On motion of Senator Terrell,
The Journal clerk, W. M. Imboden,
was excused until Monday morning on
account of important business.

On motion of Senator Macmanus,

The Senate took a recess to meet in
the Senate chamber of the new capitol
at 8:30 p. m.

NIGHT SESSION.

Senate Chamber, }
Austin, May 10, 1888. }

The recess having expired the Sen-

ate met in the Senate Chamber of the
new capitol building at 8:30 p. m.

Senator Woods, president pro tem, in
the chair.

Roll called.

Quorum present.

The chaplain, Dr. R. K. Smoot, of-
fered up the following prayer:

Almighty God, Thou who art the
King of Kings and the Lord of Lords,
before Thy throne all nations should
come and every creature should mag-
nify Thy name, in Thee we live and
move and have our being.

We would lift up our voices to night
to praise Thee for Thy goodness and
mercy. Thy providence over us has
been most bountiful and gracious, and
now, O Lord, as we enter this new
building, where legislators will make
laws for all the people, we ask that
they may be suitably impressed with
the dignity and the responsibility of
the law-making powers as one or-
dained of God, to whom their respon-
sibility belongs. May they be filled
with wisdom, possessed of clear, dis-
criminating judgement, broad and
comprehensive views, and prudence
to guide them in all their actions, and
above all, may they honor Thy law.

While busy about the affairs of this
life, may they not forget the higher
responsibilities pertaining to the life
to come.

We ask Thy blessing upon every
officer of this body, every page and
porter.

We beseech Thy blessing, O Lord,
upon the governor of our State, the
judges of all our courts and the press
of our country, all institutions of
learning and charity, and every public
official in the commonwealth.

Grant to our people the rains and
their seasons, that the seed-time and
harvest may not fail.

Bless our land with peace, and may
the plague, pestilence and famine be
kept far from us.

And now, Lord, let Thy benediction
rest upon the whole commonwealth, in
the city and in the country, and in the
public and private lives of our peo-
ple.

We ask for Christ's sake.

Amen.

BILLS SIGNED.

THE PRESIDENT (pro tem)

Gave notice of signing the following
bills:

Substitute house bills Nos. 5, 6 and 11, entitled,

An act to authorize the commissioner of agriculture, insurance, statistics and history to have a geological and mineralogical survey made of the State of Texas, and to make an appropriation therefor.

House bill No. 48.

A bill to be entitled,

An act to provide for the speedy payment of the outstanding warrants held by the several counties against the available public free school fund.

And he did sign both bills in open Senate.

MESSAGES FROM THE HOUSE.

The following messages were received from the House;

House of Representatives }
Austin, May 9, 1888. }

Hon. John Woods, President pro tem. of the Senate:

Sir—I am directed by the House to inform the Senate that the House has concurred in the Senate's amendment to House bill No. 48.

An act to provide for the speedy payment of the outstanding warrants held by the several counties against the available public free school fund.

WILL LAMBERT,
Chief Clerk House of Representatives.

House of Representatives. }
Austin, May 10, 1888. }

Hon. John Woods, President, pro tem., of the Senate:

Sir—I am directed by the House to inform the Senate that the House has passed Senate concurrent resolution No. 5, relating to the removal of the Eighth Cavalry Regiment, United States army, from Texas.

WILL LAMBERT,
Chief Clerk House of Representatives.

House of Representatives, }
Austin, May 10, 1888. }

Honorable John Woods, President pro tem of the Senate:

Sir—I am directed by the House to inform the Senate that the House has adopted the report of the free conference committee on House bill No. 1, known as the tax reduction bill.

WILL LAMBERT,
Chief Clerk of the House of Representatives.

COMMITTEE REPORTS.

SENATOR LANE

Sent up the following reports:

Committee Room, }
Austin, May 10, 1888. }

Hon. T. B. Wheeler, President of the Senate and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:

The free conference committee appointed by the two houses to consider the differences between the Senate and House of Representatives on House bill No. 1, entitled

An act to provide for the levy and collection of an ad valorem State tax for general revenue purposes for the year 1888, of ten (10) cents on the one hundred dollars, and of an annual ad valorem State tax for general revenue purposes for each year thereafter of eighteen cents on the one hundred dollars, have considered the same and recommend that the Senate recede from its amendment raising the tax from ten to twelve and one-half cents and the amendment conforming the caption thereof, and that the House concur in all other Senate amendments.

All of which is respectfully submitted.

FIELD,
JARVIS,
ARMISTEAD,
BURGES,
For the Senate.
PAGE,
STEELE,
HUNT,
MILLS,
GRESHAM,
For the House.

Committee Room, }
Austin, May 10, 1888. }

Honorable T. B. Wheeler, President of the Senate, and Honorable George C. Pendleton, Speaker of the House of Representatives:

The undersigned, a minority of the Free Conference committee appointed by the two Houses to consider the differences between the Senate and House of Representatives on House bill No. 1, beg leave to submit this, a minority report, dissenting from the majority in reference to the reduction of taxes to 10 cents on the \$100 for the year 1888, for the reason that I believe the bill, if it becomes a law, will create a deficiency in the general revenues of

the State and seriously embarrass the administration, which would be in part relieved by the adoption of the Senate amendment fixing the tax at 12½ cents on the \$100.

LANE, of Senate committee.

SENATOR WOODWARD

Moved to adopt the majority report.

SENATOR WOODWARD

Spoke in favor of, and

SENATOR LANE

In opposition to the motion.

The majority report was adopted.

MESSAGES FROM THE HOUSE.

The following message was received from the house:

House of Representatives, }
Austin, May 10, 1888. }

Honorable John Woods, President pro tem of the Senate:

Sir—I am directed by the House to inform the Senate that the House has passed Senate bill No. 27, being,

An act to amend section 71, chapter 132, of an act passed at the regular session of the Twentieth Legislature, approved April 2, 1871, with amendment, by a two thirds vote—ayes, 90.

Also, that the House has passed Senate bill No. 29, being,

An act to confer the right of injunction upon the State to prevent breach of the revenue and penal laws.

WILL LAMBERT,

Chief Clerk of the House of Representatives.

SENATOR GLASSCOCK

Offered the following resolution:

Joint resolution authorizing the governor to appoint a janitor for the new State Capitol building.

SENATOR GLASSCOCK

Began to speak in favor of his resolution, when

SENATOR M'DONALD

Made the point of order that the resolution should be referred to a com-

mittee, and reported back to the Senate before it could be acted upon.

The point of order was sustained, and the resolution was referred to the finance committee.

Senate bill No. 30.

A bill to be entitled

An act to amend section 43a, chapter 132, of an act passed at the regular session of the Twentieth Legislature, approved April 2, 1887.

Was laid before the Senate and read second time, with unfavorable committee report.

On motion of Senator Stinson the report was adopted.

SENATOR DOUGLASS OF GRAYSON

Moved to adjourn till 9:30 to-morrow morning. The motion was lost by the following vote:

Yeas—10.

Bell	Frank
Camp	Knittle
Davis	Simkins
Douglass of G	Stinson
Field	Woods

Nays—17.

Allen	Houston
Armistead	Jarvis
Baker	Lane
Burges	McDonald
Calhoun	Macmanus
Claiborne	Terrell
Douglas of J	Upshaw
Garrison	Woodward
Glasscock	

Absent—2.

Gregg	Pope
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On motion of Senator Baker.

The Senate adjourned until 9:35 o'clock to-morrow morning.

TWENTY-FIRST DAY.

Senate Chamber, }
Austin, May 11, 1888. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Dr. R. K. Smoot, chaplain of the Senate.